

Approved

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON MARCH 4, 2009 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Roll Call - Mayor and Council Members: Mayor C. Byron Anderson; Council Members Brent Marshall, Tom Tripp, Paul Rupp, Todd Castagno and Mike Johnson were present.

Appointed Officers and Employees Present: Attorney Ron Elton, Chief Danny Johnson, Public Works Director Joel Kertamus and City Recorder Rachel Wright.

Citizens and Guests Present: Colleen Brunson, Brad Rasmussen, and Jennifer Kelley.

AGENDA:

1. Summary Action Items

- a. Approval of Minutes of the February 18, 2009 City Council meeting.
- b. Approval of Business Licenses for Larry's Gun Shop, T.J. Baird Consulting LLC, Teggin's Homestead Company and GMS Granite LLC.
- c. Approval of Bills dated March 4, 2009 in the sum of \$76,581.54
- d. Personnel Matters: salary step increase for Darrin Yates to go from a Grade 13, Step 8 to a Grade 13, Step 9.

Councilman Marshall stated that two years ago a quarterly check in the amount of \$2,250.00 was issued by the City to the West Desert Firefighters Relief Association and that it had been lost and never cashed. He stated that the amount of the check had been placed back in the budget. He asked the council to allow this amount to be included in the accounts payable list and that the check be reissued. He stated that the West Desert Firefighters Relief Association has also asked for checks to be issued quarterly instead of annually.

Motion: Councilman Marshall made a motion to approve the summary action items and to include the issuance of a new check to the West Desert Firefighters Association in the amount of \$2,250.00 for a check that had been lost and never cashed. Councilman Castagno seconded the motion. All voted in favor of the motion with the exception of Councilman Johnson who voted in favor of every summary action item, except the business license for GMS Granite, LLC. for which he asked to abstain. The motion carried.

2. Consideration of public safety addition to City Hall.

Mayor Anderson stated there is \$102,000.00 in public safety impact fees designated for the police department and he suggested the City consider using that money to partially fund the construction of an addition to City Hall or to construct a separate 2200 square foot building for the police department. He stated that the additional funds needed could be borrowed from other impact fees to add to the public safety impact fees. It was proposed that the City put out a request for qualifications and request for proposals to obtain architectural services to initially explore the feasibility of such a building and to design it, if the plan was approved by the City Council. It was also reported that a local contractor had estimated that the City could construct an approximate 2000 square foot building for the police department for around \$200,000.00. Mayor Anderson indicated that the building inspector had stated that an addition could possibly cost more than a separate building. Councilman Tripp suggested exploring both options. Councilman Castagno suggested looking to see if the City could use an existing building plan to keep the design costs lower.

Motion: Councilman Castagno made a motion to authorize the City to publish a Request for Qualifications and Proposals for architectural services, to determine the feasibility and to design a new police department building, to include an addition to the City Hall or a new freestanding building. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

3. Consideration of Resolution No. 2009-06 approving a Multi-Jurisdictional Mutual Aid Agreement for Sheriff and Police Services.

Police Chief Danny Johnson stated the proposed resolution is a step in making the City, National Incident Management System (NIMS) compliant. He stated the resolution is an interlocal cooperation agreement for mutual aid between law enforcement agencies located within Tooele County. Chief Johnson stated NIMS is requiring the agreement in order to continue to receive federal funding. He stated that the listed jurisdictions have always helped each other in the past and this resolution and agreement just places the understanding in writing. Councilman Tripp asked how often the jurisdictions have helped each other. Chief Johnson stated on a regular basis. Councilman Marshall stated that the agreement allows for law enforcement to cross boundary lines to assist other agencies.

Motion: Councilman Tripp made a motion to approve Resolution 2009-06, a resolution approving an interlocal cooperation agreement providing for mutual aid between law enforcement agencies. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

4. Consideration of Resolution No. 2009-07 adopting an emergency operations plan for Grantsville City.

Chief Johnson stated the proposed resolution and the emergency operations plan is also necessary to become NIMS compliant. Chief Johnson stated he has been working on the new emergency operations plan for Grantsville City for the past year. He stated the City always had a plan, but now it has been updated and consolidated into one document. Chief Johnson stated the plan is a starting point and that it will need to be continually updated and modified. Councilman Castagno asked if the plan included other community support. Chief Johnson stated the plan does include volunteers and support from other agencies. Councilman Johnson asked if the plan is tied into homeland security. Chief Johnson stated that it was and that is one of the main reasons for the resolution. Councilman Rupp asked once the plan is implemented how effective and functional it will be. Chief Johnson stated that there are regular exercises performed with the County using different scenarios, which will test the plan. He stated that there is extensive training that he has been to as well as others. He stated that you can never be fully prepared, but that is the reason for the operations plan to have a good starting point. Councilman Marshall stated this kind of plan is always fluid and that it has to be amended and updated on a regular basis. Chief Johnson stated he will be updating the plan regularly. Councilman Tripp asked when it will be revisited and revised. Chief Johnson stated that he will regularly review the plan and suggest proposed changes as needed. Councilman Castagno suggested having a fixed review period.

Motion: Councilman Marshall made a motion to approve Resolution 2009-07, a resolution approving a comprehensive emergency operations plan for Grantsville City. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

5. Approval of specifications for blowers and an aeration system for the wastewater treatment plant upgrade and authorization of a sole source procurement.

Joel Kertamus the Public Works Director introduced Brad Rasmussen the design engineer from Aqua Engineering who is working on the upgrade of the City's wastewater facility. He stated the proposed specifications are for aerators and other equipment necessary for the sewer upgrade. Mr. Rasmussen stated there is a long lead time for acquisition of the blowers and the equipment for the new system. He stated the technology is new with a patent pending and the equipment and process cannot be provided by any other vendor. Attorney Elton asked how much of the total cost of the upgrade would be spent by the acquisition of this equipment. Mr. Rasmussen stated it is about 80 percent of the total cost. He stated they would like to begin construction before the 24 week period necessary to obtain the equipment. Councilman Marshall asked about the training of City personnel to operate the equipment. Mr. Rasmussen stated there will be training provided to the City public works department. He stated that Brad Pace is currently being trained on the new blower system. He stated the actual motor is a higher rpm motor because it is using turbine technology. He stated there will not be as much hands on maintenance. Councilman Johnson asked about the warranty. Mr. Rasmussen stated there is a three year warranty from startup. Councilman Rupp asked if the City will be an experiment for this equipment. Mr. Rasmussen stated that the technology is new, but how the sewer system works is a common process. He stated Mountain Green has a similar system. Councilman Marshall stated he contacted a Mountain Green representative and stated they have had little problems with their system.

Motion: Councilman Marshall made a motion to approve the specifications for blowers and equipment for the wastewater treatment plant upgrade and to authorize a sole source procurement from Environmental Dynamics Inc. for \$1,165,000.00, based upon the justification provided by Aqua Engineering. Councilman Johnson seconded the motion. All voted in favor and the motion carried.

6. Consideration of agreement with Rocky Mountain Power to upgrade electrical service to sewer plant.

Councilman Johnson asked Public Works Director Joel Kertamus about the operational cost of the new wastewater treatment system. Mr. Kertamus stated a rough estimate is \$2,000.00 a month. He stated the new system utilizes the same amount of power overall, but the problem is Rocky Mountain Power calculates the cost on a 15 minute usage window. He stated the new system uses more horsepower and more power when it is operating. He stated the current system uses eight motors that run 24 hours a day, and the new system runs only 9 hours a day, but uses more electricity when it is running. He stated the overall power usage may actually go down but the peak demand goes up. Public Works Director Kertamus stated that Rocky Mountain Power offered a sixty month purchase for \$942.58 per month or an upfront payment of \$47,151.48. He stated he feels it would be better to go with the sixty month contract. Councilman Marshall stated he hoped Rocky Mountain Power would have given a better deal by paying for the needed upgrade in advance.

Motion: Councilman Johnson made a motion to approve the Rocky Mountain Contract to upgrade electrical service for \$942.58 a month for sixty months for the upgrade of electrical

service for the new Grantsville City Sewer treatment plant. Councilman Castagno seconded the motion. All voted in favor and the motion carried.

7. Consideration of Ordinance No. 2009-06 amending the development code to require that essential utilities and infrastructure be completed prior to the issuance of building permits in subdivisions and certain developments.

Attorney Elton stated the proposed ordinance is the same as was considered at the previous meeting, but was amended to allow the Public Works director discretion to authorize the issuance of building permits before the street pavement is completed, taking into account weather and temperature conditions. Joel Kertamus, Public Works Director stated the ordinance ensures that emergency and other services will be able to serve residents in a development.

Motion: Councilman Johnson made a motion approving Ordinance No. 2009-06, an ordinance amending the Grantsville City Land Use Management and Development Code by requiring that essential utilities and infrastructure be completed prior to the issuance of building permits in subdivisions and certain developments. Councilman Marshall seconded the motion. All voted in favor and the motion carried.

8. Consideration of scheduling special meeting – water rights.

Motion: Councilman Tripp made a motion to hold a special City Council meeting to discuss water rights on Tuesday, March 17, 2009 at 6:00 p.m. Councilman Rupp seconded the motion. All voted in favor and the motion carried.

9. Consideration of lawsuit to collect on bond for South Willow Ranches Phase 1.

Attorney Elton stated that the improvements and warranty work on South Willow Ranches Phase 1 have not been timely completed and that the City needs to collect on the letter of credit or against the developer in order to finish the subdivision. He said that the financial institution that issued the security has not responded to the City's demands for payment. He also reported that the telephone number for the company is no longer working. He stated the City will probably need to file a lawsuit and that with the technical nature of the proceedings and that there may be bankruptcy issues associated with the developer, he asked for permission to retain a larger law firm to assist the City. He also stated that there are some legal issues associated with the developer using irrigation shares that were dedicated for use at the South Willow Ranches subdivision as collateral for a loan and that the loan had been defaulted on. Councilman Castagno stated he does not believe that the City has a direct interest in the irrigation water issue. Mayor Anderson asked Attorney Elton to see if he can obtain more information and locate the bond company utilizing the City detective and other resources before a decision is made.

10. Council Information Updates.

Attorney Elton stated since the Police Department hired a new officer at the first of the year, that the number of citations that have been issued has increased from approximately 80 per month at the end of 2008 to an average of 238 for the first two months of 2009. He indicated that this activity has been keeping him and the City Justice Court very busy.

Mayor Anderson stated Project Cannonball is still viable. He stated Chris Robinson had a meeting with Rocky Mountain Power about the cost to provide power for the project. The first estimate came in around 60 million dollars. Rocky Mountain Power has now revised its estimate down to 20 million dollars. He stated he is hopeful the project will come through. The Mayor also reported that he had met with the State Economic Development staff regarding their perception that Tooele City and Tooele County officials have not been cooperating in promoting economic development and that companies had been complaining about the lack of coordination. He stated there will be more meetings to address these issues.

Councilman Marshall stated an eagle scout did a project to provide a display and stock it with merit badge books at the City Library. He stated the scout is disappointed that the books have not yet been labeled and put out for use. Councilman Marshall asked City staff to look into the matter and see if the books can be labeled and displayed promptly.

Councilman Tripp stated he would like the Council to start thinking about the preliminary budget for the 2009-2010 fiscal year. He stated he would like more time to go over the budget items.

Councilman Castagno stated an Easter Egg Hunt for the City is being planned. He stated the Grantsville Business Alliance wants to sponsor the event at the City Park.

Councilman Johnson stated that the price of asphalt is down 40 percent and transportation expenses are down.

Mayor Anderson stated he has requested that the City Engineer determine if any of the Federal Stimulus funding would be available for the City.

Attorney Elton stated a citizen who had made a complaint that resulted in a nuisance animal citation, had contacted him and indicated his opinion that these cases should not be considered criminal in nature. He stated he would like the City to educate animal owners that have problems with barking dogs on how to deal with them and that he wanted to talk to the council about his ideas for a program that would educate animal owners when the City gets complaints. Councilman Castagno indicated that he had spoken at length with this person. The council indicated that it may not be practical to change the approach the City takes, especially in light of the limited enforcement actions that the City or residents actually initiate.

11. Adjourn.

Motion: Councilman Marshall made a motion to adjourn. Councilman Johnson seconded the motion. All voted in favor and the meeting officially adjourned at 8:45 p.m.